



The Rule-Making Process

How It Works and How You Can Get Involved

First Annual FAR/DFARS Conference

October 24, 2006





Overview

- ▶ **FAR**
- ▶ **DFARS**
- ▶ **Procedures, Guidance, and Information (PGI)**
- ▶ **The Rulemaking Process**
- ▶ **How You Can Become Involved**



Federal Acquisition Regulation (FAR)

- ▶ **Regulations required by law and policy**
- ▶ **Rules apply to Federal Government agencies**





Defense Federal Acquisition Regulation Supplement (DFARS)

- ▶ **Regulations required by law or policy**
- ▶ **Rules apply to DoD**



Procedures, Guidance and Information (PGI)

- ▶ **Internal DoD procedures**
- ▶ **Provides a central point for locating:**
 - **Agency guidance**
 - **Training**
 - **Guides**
 - **Outside resources**
 - **OSD policy letters**
 - **Other pertinent information**
- ▶ **Companion resource to the DFARS**
- ▶ **Single access-point to internal DoD acquisition procedures, policy training and class deviations**

www.acq.osd.mil/dpap/dars/pgi/current/pgi_html.htm



What is PGI

▶ **Includes:**

- Procedures (Mandatory and optional DoD-internal procedures)
- Guidance
- Training
- Other Reference Material (agency guides, handbooks, etc.)

▶ **Does not includes material that:**

- Has significant impact on the public
- Is statutory and/or a codified regulation



Why We Have PGI

VALUE

- Dynamic- Does not require public comment process (changes can be published quickly)
 - Supports rapid change
 - Fosters flexibility and innovation
 - Expedites process
- Clear Distinction between regulation vs procedure
- Web based Access

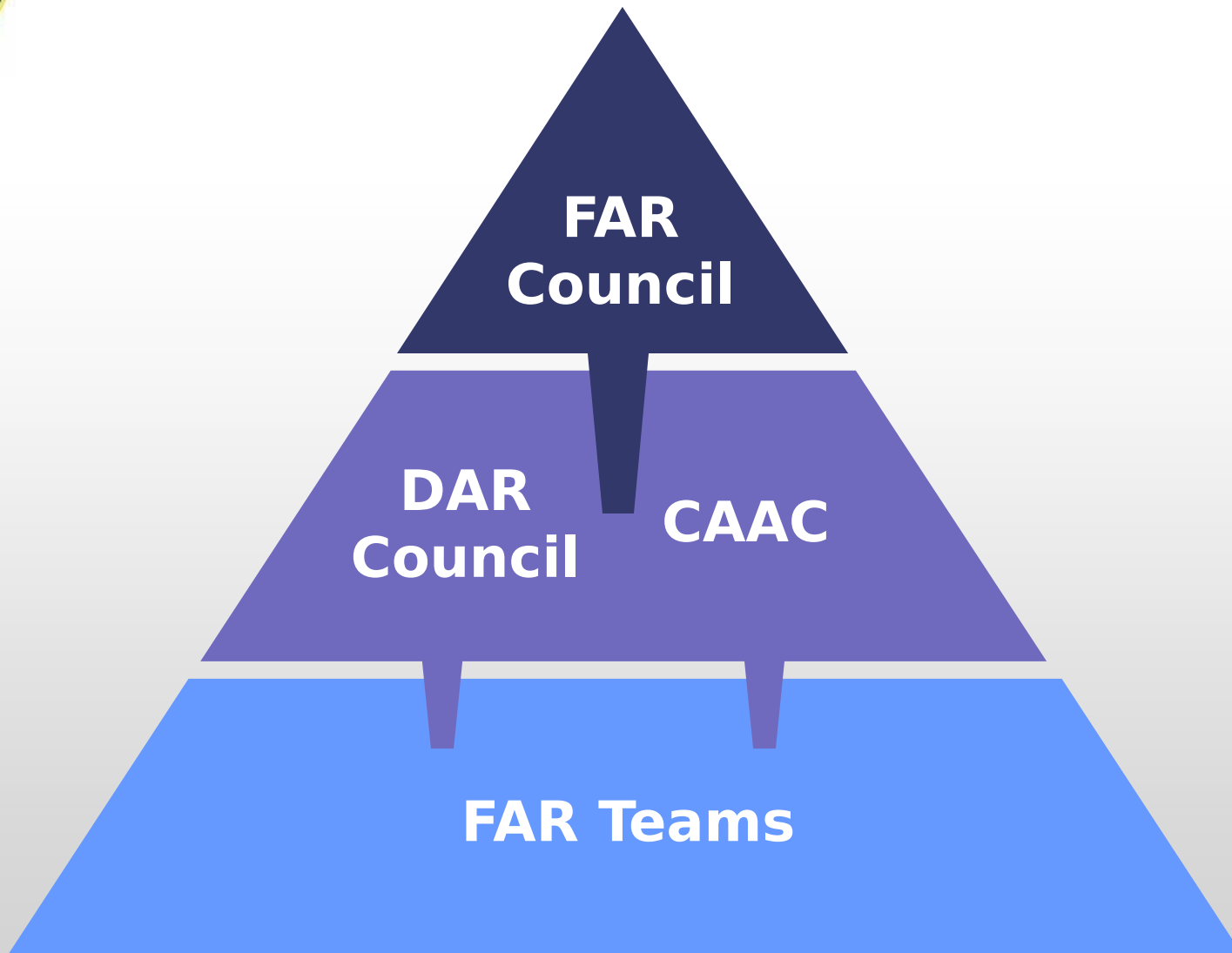


The Rulemaking Process





FAR Council Structure





Federal Acquisition Regulation (FAR) Council

► FAR Council Members:

- Chair: Office of Federal Procurement Policy (OFPP)**
- Department of Defense (DoD)**
 - DPAP represents DoD**
- General Services Administration (GSA)**
- National Aeronautics and Space Administration (NASA)**

► Responsibilities:

- Provide overall strategy to the DAR Council and CAAC**
- Resolve disagreements between the DAR Council and CAAC**





Sources of FAR/DFARS/PGI Changes

Legislation

IG & GAO Recommendations

Court Decisions

OFPP Policy Letters

Executive Orders

Agency Recommendations

Individual Recommendations

Industry Recommendations

Policy Changes

**FAR
DFARS
PGI**



FAR Change Process

FAR Principals

- Director, DAR Council
- NASA, DAR Council Representative
- Chairman, CAAC

FAR Team

DAR Council/CAAC

OFPP/OIRA

Federal Register

**Proposed Interim Rule
Rule**

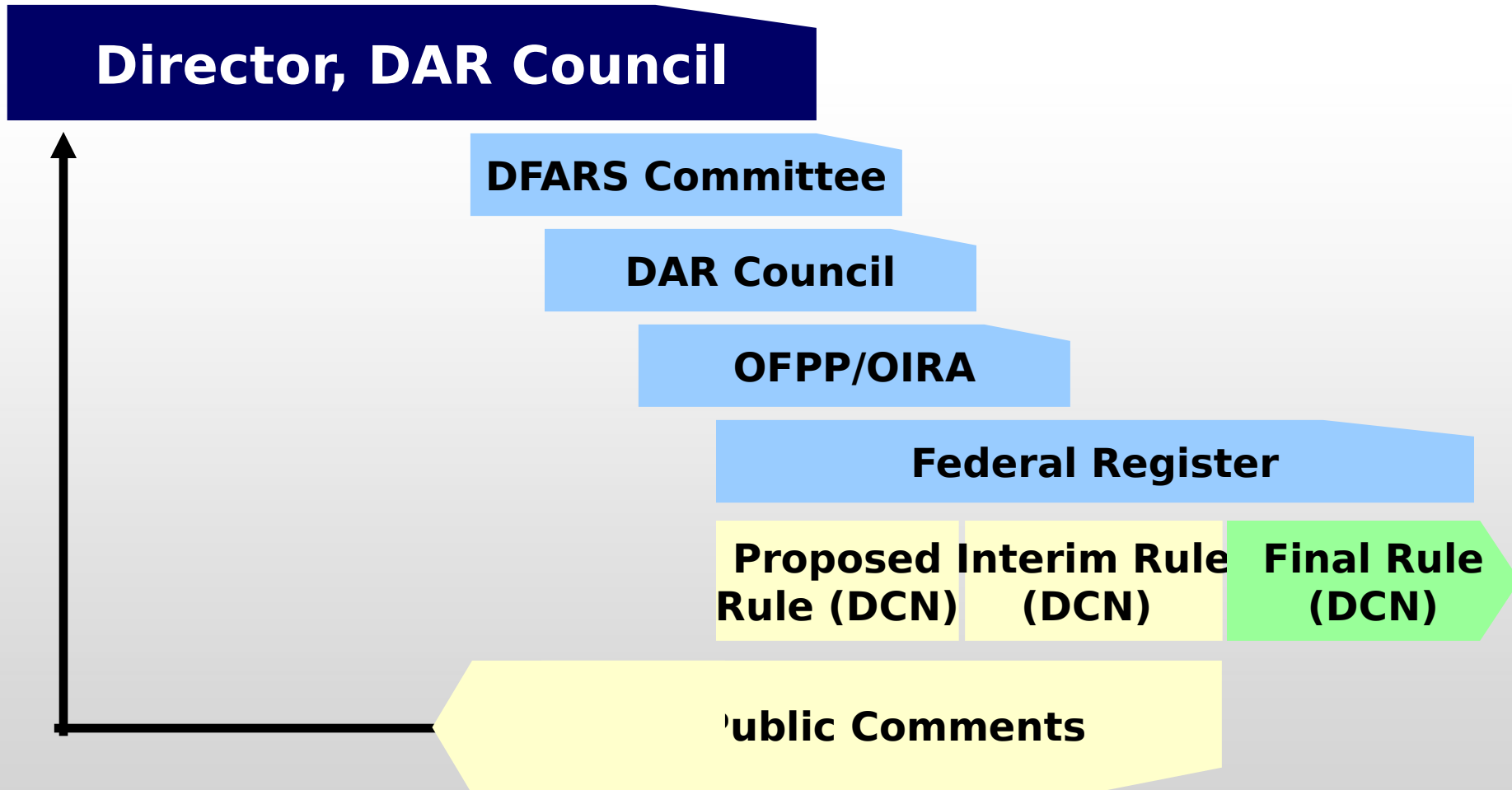
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**Final Rule
(FAC)**

Public Comments

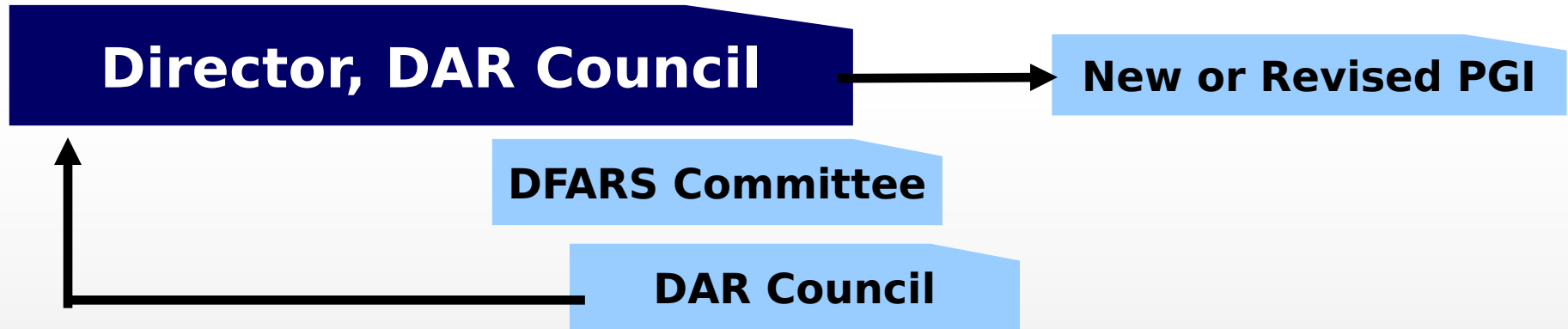


DFARS Change Process





PGI Change Process





Defense Acquisition Regulation (DAR) Council

► DAR Council Members:

- Chair: Deputy Director, DPAP (DARS)**
- Military Services (Army, Navy, Air Force)**
- Defense Agencies (DCMA, DLA)**
- NASA**

► Responsibilities:

- Promulgate the DFARS and PGI**
- Promulgate the FAR (in conjunction with CAAC)**





Get Involved in the Rulemaking Process

- ▶ **Review DFARS and FAR proposed and interim rules**
 - **Change Notices:**
<http://www.acq.osd.mil/dpap/dars/dfars/changenotice/index.htm>
- ▶ **Submit input**
 - **Agency comment (through command channels)**
 - **Internet (follow local and agency procedures)**
- ▶ **View public comments on proposed & interim rules**
 - **DFARS rules:** <http://www.acq.osd.mil/dpap/dars/publiccomm/>
 - **FAR rules:** www.regulations.gov
- ▶ **View status of open cases**
 - <http://www.acq.osd.mil/dpap/dars/opencases/farcasenum/far.pdf>
 - <http://www.acq.osd.mil/dpap/dars/opencases/dfarscasenum/dfars.pdf>



We Want to Hear From You

► Get Informed

- View DFARS Change Notices:
www.acq.osd.mil/dpap/dars/dfars/changenotice/index.htm
- Sign up for DFARS News via e-mail

► Get Involved

- Submit comments on FAR and DFARS
www.acq.osd.mil/dpap/dars/publiccomm/
- Attend public meetings
<http://www.acq.osd.mil/dpap/dars/publicmeeting/>
- Voice your ideas

► View Public Comments:

- DFARS rules: <http://www.acq.osd.mil/dpap/dars/publiccomm/>
- FAR rules: www.regulations.gov

